

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 27, 2000

DIVISION TWO

B127816 Union Oil Co. of California
v.
City of Los Angeles

Filed order certifying opinion for publication. Petition for rehearing denied.

DIVISION THREE

B130497 Lawrence Adler, etc., et al. (Not for Publication)
v.
Bank of America

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B125939 People (Not for Publication)
v.
Steven Ray Parker

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Schneider, J. (Assigned)

DIVISION THREE (Continued)

B129003 John Kuykendall (Certified for Publication)

v.

Workers Compensation Appeals Board

Subsequent Injuries Fund, Respondent

The Board's decision is annulled and the matter is remanded for further proceedings consistent with this opinion.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION FOUR

B137166 People (Not for Publication)

v.

Chambers

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

B136643 People (Not for Publication)

v.

DeVille

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

DIVISION FOUR (Continued)

B112071 People v. Hatch (Not for Publication)
B112073 In re Hatch on Habeas Corpus

In appeal B112073, the order granting the habeas corpus petition in case NA031502 is reversed. Appeal B112071, taken in case NA029743, is dismissed as moot.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B137995 Valley Presbyterian Hospital (Certified for Publication)
v.
S.C.L.A.
Hemel

The order to show cause, having served its purpose, is discharged. Let a peremptory writ of mandate issue compelling respondent superior court to set aside its order of December 22, 1999, and to proceed in accord with the views expressed herein. The temporary stay order issued on January 11, 2000, will remain in effect until the remittitur issues and is thereupon vacated. The parties are to bear their own costs in this proceeding.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FOUR (Continued)

B127336 Gootkin (Not for Publication)
v.
Lawrence

The judgment is reversed and the cause is remanded to the trial court for the limited purpose of taking evidence and making findings of fact regarding appellant Lawrence's alleged setoff. Appellant to recover costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FIVE

B129868 People (Not for Publication)
v.
Michael Denard Grudup

The judgment is modified to reflect the imposition of Penal Code section 1202.45 restitution fine and 213 days actual custody credits plus 106 days conduct credits as discussed in the body of this opinion. Upon modification of the judgment, the superior court clerk is directed to issue an amended abstract of judgment which correctly reflects the additional restitution fine along with the correct presentence credits and forward it to the Department of Corrections. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B133707 People (Not for Publication)
v.
Clayvon Charles M.

The order under review is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B130553 People (Not for Publication)
v.
Daniel Herrera Ramirez

The judgment is modified to reverse the award of presentence credits. In all other respects the judgment is affirmed. Upon issuance of the remittitur, a hearing is to be held to determine if defendant is entitled to presentence credits. The clerk of the superior court is to prepare an amended abstract of judgment which correctly reflects defendants' presentence credits, if any, and forward it to the Department of Corrections.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B125392 People (Not for Publication)
v.
Edwin Estrada

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

March 27, 2000-Continued

DIVISION FIVE (Continued)

B131787 People (Not for Publication)
v.
Freddie Reales

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B123759 Jerry Pitts (Not for Publication)
v.
Martin S. Wiener et al.

The judgment is affirmed. Respondent(s) to recover costs.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B127975 Rhett Guthrie (Not for Publication)
v.
William Carter et al.

The judgment is affirmed. Respondent(s) to recover costs.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

DIVISION SIX

B130673 People
 v.
 Duncan

Filed order denying petition for rehearing.

B127723 People (Not for Publication)
 v.
 Powick

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B133679 People (Not for Publication)
 v.
 Turner

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B130107 People (Not for Publication)
 v.
 Bailey

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SEVEN

B134822 People (Not for Publication)
v.
Scott

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B121206 Burch et al. (Not for Publication)
v.
Calif. State Board of Education
Glendale Unified School District

The judgment is reversed and on remand the trial court is directed to enter a new judgment denying the petition for writ of mandate. The order denying attorney's fees is affirmed. The parties are to bear their own costs on appeal.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

B119389 Greenwald (Not for Publication)
v.
Mattel, Inc.

The judgment is reversed, and the order denying leave to amend is affirmed. Appellant is to recover costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

March 27, 2000-Continued

DIVISION SEVEN (Continued)

B124621 Noval (Not for Publication)
v.
Tao et al.

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.